

JMK:MEB
F. #2015R00673

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

15-718 M

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TO BE FILED UNDER SEAL

UNITED STATES OF AMERICA

- against -

KHADJA HAMPTON,

Defendant.

- - - - - X

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF
APPLICATION FOR
ARREST WARRANT

(18 U.S.C. §§ 1343, 1029(a)(2)
and 1028A)

EASTERN DISTRICT OF NEW YORK, SS:

PATRICK M. SHAW, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation (“FBI”), duly appointed according to law and acting as such.

On or about and between May 2012 and August 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KHADJA HAMPTON did knowingly and intentionally execute and attempt to execute a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, transmitted and cause to be transmitted, by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds.

(Title 18, United States Code, Sections 1343 and 3551 et seq.)

On or about and between May 2012 and August 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KHADJA HAMPTON, with intent to defraud, did traffic in and use one or more unauthorized access devices within any one one-year period, and by such conduct did obtain anything of value aggregating \$1,000 or more during that period.

(Title 18, United States Code, Sections 1029(a)(2) and 3551 et seq.)

On or about and between May 2012 and August 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KHADJA HAMPTON did knowingly and intentionally transfer and possess a means of identification of another person during and in relation to the commission of wire fraud, without lawful authority.

(Title 18, United States Code, Sections 1028A and 3551 et seq.)

INTRODUCTION

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the FBI and have been involved in the investigation of numerous cases involving cyber-related crime, especially of a financial nature. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

record; and from reports of other law enforcement officers involved in the investigations, among other sources of information.

Probable Cause

2. The FBI began investigating the defendant KHADJA HAMPTON for her participation in identity theft and a credit/debit card fraud scheme in late 2014. As described further below, HAMPTON has opened credit and/or debit cards in the name of several different victims without their consent, and then has purchased expensive goods and services with the unauthorized access devices up to the credit cards' spending limit, thereby "busting out" the credit line on the credit and/or debit card. HAMPTON has had the goods purchased using the fraudulent credit and/or debit cards in the names of the victims delivered to HAMPTON in her own name at her Brooklyn addresses. Additionally, HAMPTON's participation in an identity fraud scheme with respect to two victims is described below. Evidence recently received pursuant to search warrants for e-mail addresses used by HAMPTON suggests that there may be as many as 28 additional victims of the identity fraud scheme.

3. In late 2014, the FBI began investigating the defendant KHADJA HAMPTON after JANE DOE #1, whose identity is known to you affiant, reported several fraudulent credit card charges to the New York City Police Department. JANE DOE #1 told law enforcement that in approximately August 2014, JANE DOE #1 had obtained a credit report, and found multiple credit inquiries in JANE DOE #1's name that had not been requested or authorized by JANE DOE #1. Among other things, JANE DOE #1 discovered that on June 1, 2014, an individual using JANE DOE #1's name and social security number had opened an unauthorized Visa credit card account in JANE DOE #1's name. The unauthorized Visa card had an account number ending with the numbers -3688 and was opened with Capital One Bank

(the “Capital One Visa”). JANE DOE #1 learned from Capital One Bank representatives that the user of the Capital One Visa owed \$14,047.55 in purchases and interest, but that Capital One Bank had never been paid for the purchases by the user of the account. JANE DOE #1 indicated that JANE DOE #1 had never opened, authorized, or used the Capital One Visa issued in JANE DOE #1’s name.

4. Records produced by Capital One Bank show that in approximately September 2013, an individual attempted to apply for a credit card in JANE DOE #1’s name, using both JANE DOE #1’s actual name and JANE DOE #1’s social security number. The application listed JANE DOE #1’s physical address as being at 389 Atkins Avenue in Brooklyn, New York (the “Atkins Avenue address”), JANE DOE #1’s email address as XXXXXXXXXXXXXXXXX77@hotmail.com,² and JANE DOE #1’s phone number as (347) 808-1679. JANE DOE #1 has confirmed to me that JANE DOE #1 never applied for a credit card with Capital One Bank, and that other than JANE DOE #1’s name and social security number, the information provided was not JANE DOE #1’s. Database searches performed during this investigation show that the defendant KHADJA HAMPTON previously lived at the Atkins Avenue address used in the application, and has previously used the (347) phone number specified in the application. In addition, HAMPTON contacted me by phone on or about July 29, 2015,³ and confirmed to me that she had previously lived at the Atkins Avenue address.

² The redacted portion of the email address is the name of JANE DOE #2, whose identity is known to your affiant, and who is another identity theft victim of the defendant KHADJA HAMPTON.

³ As part of the investigation, I have been contacting possible identity theft victims. My understanding is that a relation of one of the identity theft victims called the defendant

5. This first application was denied. However, Capital One Bank records show that in approximately June 2014, a second application was filed with Capital One Bank in JANE DOE #1's name and using JANE DOE #1's social security number. This application specified a physical address of 250 Wortman Avenue, Brooklyn, New York (the "Wortman Avenue address"), and an email address of XXXXXXXXXXXX1984@gmail.com,⁴ and the telephone number (347) 486-5082. Database searches that I have performed during this investigation show that the defendant KHADJA HAMPTON currently lives at the Wortman Avenue address listed in this second application. In addition, during my phone call with the defendant KHADJA HAMPTON on July 29, 2015, she confirmed that she currently lives at the Wortman Avenue address.

6. This second application resulted in the opening of the fraudulent Capital One Visa. Within a few months of the credit card being opened, its credit limit of \$10,000 was nearly maxed out. Payments were not made on the credit card account, and Capital One Bank is owed \$14,047.55 for purchases and interest on the account. Records obtained in the course of the investigation indicate that the items purchased using the Capital One Visa were sent to the defendant KHADJA HAMPTON.

7. For example, records produced by Capital One Bank show that the Capital One Visa was used to make three purchases from Zappos.com on July 31, 2014, August

KHADJA HAMPTON upset about her theft of the victim's information; HAMPTON then contacted me on or about July 29, 2015 by phone to inquire about the investigation.

⁴ The redacted portion of the email address appears to be the name of an actual individual other than the defendant. I have not yet contacted this individual, but have redacted the name portion of the email address for privacy reasons. Based upon the investigation, I believe that the defendant KHADJA HAMPTON has used this email address as part of the credit card fraud scheme.

1, 2014, and August 8, 2014. The July 31, 2014 order totaled \$348.40, and included a Michael Kors watch and an Armani Exchange watch. The August 1, 2014 order was for a Jessica Simpson watch, and the order totaled \$67.49. The August 8, 2014 order was for a Michael Kors handbag, and two pairs of women's shoes, totaling \$463.92. All three orders instructed Zappos to send the goods to the defendant KHADJA HAMPTON at her Wortman Avenue address in Brooklyn, and used the email address khadja77@hotmail.com.⁵

8. In addition, also in August 2014, the Capital One Visa was used to make four purchases from Jewelry Television totaling \$306.83. The person purchasing the items had the goods delivered to the defendant KHADJA HAMPTON at the Wortman Avenue address, and gave an email address of khadja77@hotmail.com.⁶

9. On August 4, 2015 and August 5, 2014, six orders totaling \$785.89 were placed on Amazon.com using the Capital One Visa. The person purchasing the items had the goods delivered to KHADJA HAMPTON at the Wortman Avenue address, and gave an email address of khadja77@hotmail.com.

10. Through my training and experience, I know that people can use email addresses as part of their fraudulent credit and bank account applications, and to send and receive information related to their fraudulent purchases. Therefore, based on my training and experience, the statements of JANE DOE #1, and review of the records described above, I believe that the defendant KHADJA HAMPTON applied for the Capital One Visa using the

⁵ Through database searches regarding the defendant KHADJA HAMPTON, your affiant has learned that KHADJA HAMPTON was born in 1977.

⁶ During my phone conversation with the defendant KHADJA HAMPTON on or about July 29, 2015, she confirmed that khadja77@hotmail.com is her email address.

email addresses identified above⁷ and JANE DOE #1's identity. After her second attempt to open such a fraudulent credit card succeeded in June 2014, I believe that HAMPTON fraudulently used the Capital One Visa card and subject email addresses to make the purchases described above.

11. The investigation has found additional victims as well, including JOHN DOE #1, whose identity is known to your affiant. Based upon records gathered during the investigation, and an interview of JOHN DOE #1, your affiant learned that in or about December 2013, a PayPal account was opened in the name of victim JOHN DOE #1 (the "JOHN DOE #1 PayPal Account") using the email address of XXXXXXXXXXXXXXX@hotmail.com.⁸ JOHN DOE #1 stated that JOHN DOE #1 does not use and has never used or set up either the JOHN DOE #1 PayPal Account or the XXXXXXXXXXXXXXX@hotmail.com email address. The JOHN DOE #1 PayPal Account application listed JOHN DOE #1's physical address as the Atkins Avenue address. As discussed above, I have learned that is in fact the address where the defendant KHADJA HAMPTON had previously lived.

12. PayPal is a payment platform that is used by individuals and merchants to make, receive and process payments. Individuals typically set up PayPal accounts linked to their bank accounts or credit cards to make payments for items that they buy online from online merchants, or in person. Businesses or merchants, on the other hand, can open PayPal

⁷ As explained above, the email addresses used contained the actual names of JANE DOE #1 and JANE DOE #2.

⁸ The redacted portion of the email address noted in text is the name of JOHN DOE #2, whose identity is known to your affiant, and who is another identity theft victim of the defendant KHADJA HAMPTON.

accounts in order to receive such payments. Business PayPal accounts can also receive payment from a physical “swipe” of a credit or debit card using a mobile credit card reading device, such as “PayPal Here.” Such a device plugs into a smart phone, tablet or other “smart device,” and in conjunction with a PayPal account, allows the device to act as a point of sale that receives payments via a credit or debit card swipe. The device uses the smart device’s data connection and GPS location to process the transaction.

13. The JOHN DOE #1 PayPal Account was opened up as a business account, meaning that, among other things, it could receive payments from others. The account was opened under the name “Swift Parts.” Unlike a personal account, a business account allows the account holder to operate under a company or business name, accept credit and debit card payments, and utilize express checkout.

14. Based on my review of records produced by PayPal, I have found that the JOHN DOE #1 PayPal Account was used to receive “swipe” payments from various credit cards, including the fraudulent Capital One Visa card issued in JANE DOE #1’s name described above, and including fraudulent credit cards issued in the names of victims including JOHN DOE #1. In addition, a credit card issued in the defendant KHADJA HAMPTON’s own name, and ending with the numbers -7505, was used to place funds into the JOHN DOE #1 PayPal Account. Further, I have reviewed PayPal records regarding the GPS location for the payments made into the JOHN DOE #1 PayPal Account by physical swipes. The GPS locations all appear to be within the vicinity of HAMPTON’s current residence.

15. During the time period from approximately December 2013 to July 2014, approximately \$11,428 was placed into the JOHN DOE #1 PayPal Account via credit card transactions. Of note, there are two transactions on or about July 10, 2014 related to the

PayPal account, totaling \$8,000, involving swipes of the Capital One Visa card issued in JANE DOE #1's name. Both transactions are listed as occurring from "PP*SWIFT PARTS9173410232NY." Through my training and experience, I know that the "PP*" that appears in the transaction code indicates that this was a PayPal transaction, that "Swift Parts" refers to the name of the business associated with the account, that (917) 341-0232 is the phone number associated with the account, and that "NY" is the location of the business's registered address. The specified phone number is another phone number that I have found to be used by the defendant KHADJA HAMPTON on other applications related to the fraudulent scheme.

16. Almost all of the \$11,428 in funds that went into the JOHN DOE #1 PayPal Account were then disbursed into various bank accounts.

17. By approximately July 2014, PayPal closed the JOHN DOE #1 PayPal Account because PayPal believed that the user of the account was involved in financial fraud, including unauthorized credit card use and unauthorized bank account use.

18. Therefore, based on my training and experience, and my knowledge of this case, I believe that the defendant KHADJA HAMPTON used the XXXXXXXXXXXXXXX@hotmail.com email address, and JOHN DOE #1's name, to open the JOHN DOE PayPal Account as a business account. I believe that HAMPTON then used a PayPal Here card reader or similar device to swipe several of the fraudulent and unauthorized credit cards that she had obtained in the names of victims such as JANE DOE #1 and JOHN DOE #1, placing funds into the JOHN DOE #1 PayPal Account. I believe that HAMPTON then moved the money out of the JOHN DOE #1 PayPal Account into other accounts because she knew that the funds would be reversed when the credit card companies realized that the charges were fraudulent and unauthorized.

19. In sum, I believe that the defendant KHADJA HAMPTON set up the JOHN DOE #1 PayPal Account using victim JOHN DOE #1's identity as a way to extract cash from the fraudulent and unauthorized credit cards that HAMPTON had opened in the victims' names.

20. It is respectfully requested that this Court issue and order sealing, until further order of the Court, all papers submitted in support of this application, including the application, the arrest warrant, and the complaint. I believe that sealing these documents is necessary because the defendant is currently at liberty. For this reason, the government seeks to seal the complaint and arrest warrant to ensure that the defendant does not learn that a complaint has been filed and an arrest warrant has been issued, and to prevent her from fleeing justice and avoiding arrest and prosecution.

WHEREFORE, your deponent respectfully requests that the defendant KHADJA HAMPTON be dealt with according to law.

S/ Patrick Shaw

PATRICK M. SHAW
Special Agent, Federal Bureau of Investigation

Sworn to before me this
31st__ day of July, 2015

S/ Vera Scanlon

THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK